

13281 U.S. PTO
011304

PATENT
Attorney's Docket No. COS-99-055C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Patent Application
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

22387 U.S. PTO
10/755445
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Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 09/515,153 filed on February 29, 2000, for METHOD OF MONITORING THE AVAILABILITY OF A MESSAGING AND VOIP NETWORK, by the following named inventor(s):

- (a) Full Name Roy Ahoor
- (b) Full Name Kenneth M. Webb
- (c) Full Name Stephen J. Berscheid

☒ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(2), the Commissioner is requested to add the name(s) of the following person or persons who are inventors being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____



13281 U.S. PTO

Request for Filing Continuation/Divisional Application of 09/515,153
Attorney's Docket No. COS-99-055C1

Page 2

1. ☒ Enclosed is a copy of the prior Application No. 09/515,153 as originally filed February 29, 2000, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☐ _____ statement(s) claiming small entity status ☐ are enclosed ☐ were filed in prior Application No. _____, filed on _____.
4. ☒ The filing fee is calculated below ☐ and in accordance with the enclosed preliminary amendment:

| CLAIMS | | | | | |
|--|---------------|------------|--------------|-----------|-----------------|
| | NO. OF CLAIMS | | EXTRA CLAIMS | RATE | FEE |
| Basic Application Fee | | | | | \$ 770.00 |
| Total Claims | 17 | MINUS 20 = | 0 | x \$18.00 | \$ 0.00 |
| Independent Claims | 2 | MINUS 3 = | 0 | x \$86.00 | \$ 0.00 |
| If multiple dependent claims are presented, add \$280.00 | | | | | \$ 0.00 |
| Total Application Fee | | | | | \$ 770.00 |
| If small entity status is claimed, subtract 50% of Total Application Fee | | | | | \$ 0.00 |
| Add Assignment Recording Fee of \$40.00 if Assignment document is enclosed | | | | | \$ 0.00 |
| TOTAL APPLICATION FEE DUE | | | | | \$770.00 |

5. ☒ Charge \$ 770.00 to Deposit Account No. 13-2491 for the fee due.
6. ☐ A check in the amount of \$ __ is enclosed for the fee due.
7. ☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 13-2491. This paper is submitted in duplicate.
8. ☐ Cancel in this application original claims __ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
9. ☒ Amend the specification by inserting before the first line the sentence: - -This application is a continuation of Application No. 09/515,153, filed February 29, 2000.- -

10. ☐ Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing data accorded this application. A duplicate of this paper is enclosed for filing in the prior application file. (May only be used if signed by person authorized under 37 C.F.R. § 1.138 and before payment of issue fee.)
11. ☐ New drawings are enclosed.
12. ☐ Priority of Application No. ____ filed on ____ in ____ (country) is claimed under 35 U.S.C. § 119.
☐ The certified copy of the priority application
☐ is enclosed
☐ was filed on ____ in prior Application No. __, filed on ____.
☐ has not yet been filed.
13. ☐ A preliminary amendment is enclosed.
14. ☐ An Information Disclosure Statement is enclosed.
15. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
16. ☐ Also enclosed _____.
17. ☒ The power of attorney in the prior application is to MCI WorldCom, Inc..
a. ☒ The power appears in the papers in the prior application.
b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
c. ☐ Recognize as Associate Attorney ____.
d. ☐ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Date: January 13, 2004

By: _____

Glenn Snyder
Reg. No. 41,428

ADDRESS OF SIGNATOR:

Harrity & Snyder, L.L.P.
11240 Waples Mill Road
Suite 300
Fairfax, Virginia 22030

- ☐ inventor(s)
☐ assignee of complete interest
☐ attorney or agent of record
☒ filed under 37 C.F.R. § 1.34(a)